

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Prisons Department – NHRC – Case No.740/1/5/2008-2009-JCD/M-1-Death of Remand Prisoner, Kaki Sreenu, in Sub-Jail, Kakinada on 19-12-2008 NHRC recommendation to pay a sum of Rs.25,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

HOME (PRI.C.HRC) DEPARTMENT

G.O.RT.NO. 1600

DATED:24-09-2011.

Read the following:-

1. From the Joint Registrar(Law),National Human Rights Commission New Delhi Show Cause Notice dated 29-04-2011 in case No.740/1/5/08-09-JCD.
2. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad Lr.No.SB3/1458/2008 , dated 08-07-2011.
3. Government letter No.13699/Pri.HRC/2011, dated 13-07-11.
4. From the Asst. Registrar(Law),National Human Rights Commission, New Delhi letter dated 19-08-2011 in case No 740/1/5/08-09-JCD.

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ORDER:

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18(c) of Protection of Human Rights Act 1993 to the Chief Secretary , Government of Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the deceased, Kaki Sreenu.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad has furnished reply to the Show Cause Notice. Accordingly the Government vide letter third read above has furnished the above report to NHRC for placing the same before the Commission.

3. In the reference fourth read above, the Commission has stated that the annexure to the report of the Jail Superintendent is the “Proforma for Health Screening of Prisoner on Admission to Jail”. This shows that the prisoner had complained of Bronchitis and weighed only 40 kg at the time of his admission to the jail. However, the prisoner was never provided treatment for Bronchitis. This proforma provides for “Blood test for Hepatitis/STD including HIV”. However, the required blood test was not carried out at the time of prisoner’s admission to the jail.

4. As per the expert opinion of Dr.Adarsh Kumar, Associate Professor, AIIMS, New Delhi, he is of the opinion that it is unlikely that for eight months the disease which he was suffering from will not give rise to any symptoms and suddenly within one day the person dies. Even at the time of entry into jail, the person had complained of breathlessness (Bronchities).

5. In view of the above, the Commission is of the opinion that the deceased had died due to medical negligence, hence, it recommended that a sum of Rs.25,000/-(Rupees twenty five thousand only) be paid as compensation to the next kin of the

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deceased by the State Government within six weeks and submit compliance report along with proof of payment by 06-10-2011.

6. Government after careful examination, hereby accord sanction for an amount of Rs 25,000/- (Rupees twenty five thousand only) towards payment of compensation to the legal heir of the deceased Remand Prisoner, Kaki Sreenu as directed by the National Human Rights Commission, New Delhi.

7. The amount sanctioned in Para (6) above, shall be debited to the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan) and shall be met from provision available in budget estimates 2011-12.

8. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 6 above and to place at the disposal of Collector & District Magistrate, East Godavari for making payment to the legal heirs of the deceased Remand Prisoner, Kaki Sreenu and submit compliance report along with the proof of payment by 28-09-2011 with out fail, as the due date for submission of report is 06-10-2011.

9. The Director General and Inspector General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

10. This order issues with the concurrence of the Finance (Exp.Home) Department, vide their U.O. No.2882/378/B2/Exp.Home/2011, Dated:24-09-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.P. ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

Copy to:

The Joint Registrar (Law), National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, (A&E), A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The District Treasury Officer, East Godavari.

The Collector & District Magistrate, East Godavari..

Copy to:

The Principal Secretary to Government (Political), General Administration Department.

The Finance (Exp.H&L) Department.

The Finance (BG) Department.

SF/SC.

// Forwarded By Order //

SECTION OFFICER